

# The Hawaiian Star, DAILY AND SEMI-WEEKLY.

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FRANK L. HOOGS.....MANAGER

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## Cutthroat Competition

One of the bulwarks of the trust is cut-throat competition. It is by this means that monopoly is often established and maintained. A most interesting discussion of it both from its ethical and legal standpoints is given in a recent number of "Case and Comment," a publication primarily for lawyers. This article among other things contains this:

Crushing weaker competitors, not by legitimate competition, but by deliberately doing a competing business at a loss for a time until the weaker is compelled to surrender and go out of business, is a form of oppression that has been practised much in recent years to the ruin of a multitude of small business houses. This method of acquiring a monopoly of business by deliberately ruining all others engaged in it is more legal, though but little less cruel and hardly more scrupulous or honorable, than to get rid of unwelcome competitors by assassination, or by the application of the torch or dynamite to their establishments. Yet the practice has been so common that many people have been ready to defend it as a legitimate, though somewhat hard, exercise of business competition. Others, who are not ready to defend it, assume that it is inevitable, and excuse those who practise it on the ground that they are no worse than other business men. But no one defends the practice from an ethical standpoint, and no one denies that it is harsh, cruel and oppressive.

That it is against public policy to have the great number of small dealers in any department of business crushed out of existence and superseded by a gigantic monopoly, will be almost, or quite, universally conceded. This hardly needs discussion. A distinct loss of independence and forcefulness of character among the people must follow when they are compelled to give up their independent business establishments and become subordinate to a great and imperious aggregation of capital that will allow none of them to compete with it. Such a situation is also full of the possibilities of trouble and conflict in other respects, not the least of which grows out of the tendency of such a powerful monopoly to defy the laws and the government.

The possibility of a remedy against the oppression by great capitalistic combinations through the destruction of competitors may seem doubtful. So far as legitimate competition is concerned, whereby those succeed who give the best service at the smallest price, it may well be that no interference by government should be attempted, except by such general restriction and regulation of corporations and combinations of capital as may seem wise. Within the range that any person, firm, corporation, or combination is allowed to engage in business, it is doubtless in accordance with public policy to leave them entirely untrammelled as to the extent to which they may carry legitimate competition. The proprietor who carries on his business with the least economy or skill must take the consequences if others are able to undersell him. But when the more powerful competitor engages in an illegitimate competition whereby, for the express purpose of running the weaker, he carries on his own business temporarily at a loss until the weaker is crushed, and then raises his price again, the proceeding is pernicious, not only from the standpoint of ethics and justice, but also from that of public policy.

It is time that the state should make an attempt at least to protect ordinary citizens who do business with moderate capital against any powerful wrecker who may proceed deliberately and with malice aforethought to work their ruin. If this has not been condemned by any of the specific rules which constitute the patchwork of the common law, it is certainly contrary to the fundamental principle of that law which underlies the numerous rules in condemnation of injury to the person or property of another, either purposely, or by negligence. While it is probably too much to expect the courts to declare this deliberate ruin of a competitor's business by cut-throat competition to be illegal in the absence of statute, it is not the duty of legislatures to make it illegal by enactment?

## Bring Out The Hatter Report

The Advertiser, which made such a sorry showing in the Moore case yesterday, after all its charges and bluster, this morning resorts to more bluster and misrepresentation. It complains that the afternoon papers omitted altogether the testimony given by A. P. Taylor on his recall, thus seeking to give the impression that this was omitted for the purpose of misleading the public. The fact is that Mr. Taylor was not recalled nor his testimony given in time for the afternoon papers to report it. Their second editions were on the press about the time Mr. Taylor was giving this evidence.

The Advertiser querulously says: "Touching the failure of much of the Japanese evidence it is enough to know that most of the Asiatic witnesses were rounded up by the police and that their evidence could not be expected to hurt Moore." The truth is that the most important, the most direct, and the most convincing evidence given, was that of some of these Asiatic witnesses "rounded up" by the police.

The Advertiser this morning goes on: "The editor of this paper was called and asked but two questions. One was whether he knew Moore; the other whether he knew Moore's gambling assistants. Knowing neither he was excused. Had the inquiry gone into the matter of what he knew of Moore's transactions and where he got his information, Mr. Smith could have put the court in the way of two important witnesses and perhaps have succeeded in SPREADING THE HATTER REPORT ON THE RECORDS. Surely nothing could have a more material bearing on the guilt or innocence of Moore or upon the character of the police!"

This is mere bluster and dust throwing. It is an effort to beguile the issue. If Mr. Smith had any knowledge that would have enabled him to give competent evidence, or which he thought would have enabled him to give competent evidence, why did he not inform the Deputy County Attorney so that that official might have directed his examination to bring it out? Apparently this witness withheld material information from the Deputy County Attorney, and then turns about and rends that official.

But what has the Hatter report to do with the present issue? The Advertiser has been making violent charges of what it alleges are

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present conditions. The issue in the trial of yesterday was as to the existence of certain conditions on a specific day alleged in the complaint, one of the early days of this month. The Hatter report is nearly a year old and purports to treat of matters more than a year old. How could the Hatter report be introduced in evidence? How could it be made material to the issues in yesterday's trial?

Nevertheless, the Star wishes the Hatter report were made public. It will welcome any means of making it public. If Mr. Smith could have succeeded in spreading the Hatter report on the records, it regrets more than ever that Mr. Smith did not see fit to inform the Deputy County Attorney beforehand of the information that he possessed so that the examination might have been so directed as to bring the Hatter report before the court and so make it public.

But the talk about the Hatter report in evidence in yesterday's case is mere dust throwing. It is mere bluff and bluster.

Because the Star has not joined in the blackguard and ruffianly attacks on Brown and the police department which the Advertiser has been making for the past weeks, that organ of billingsgate has charged that the Star defends gambling and corruption. But the public is not misled. The public recognizes clearly enough that the Advertiser is making a personal fight on Brown and his department, not against gambling.

The literary style of the Advertiser's editorial columns showed a marked improvement this morning. IT used a local story from the Star—Star.

The next time the literary style of the Advertiser wants to use a local story from the Star IT will seek one with better grammar to its credit than is supplied in the paragraph quoted above.

The spectacle of the Advertiser posing as an authority on grammar is amusing but it is interesting to note that the morning paper has at last been induced to admit that it is merely an "IT."

According to South African despatches a Hottentot chief named Morris has captured Jerusalem camp from the Germans. This looks as if the chosen people were coming in to their own after all.

The Advertiser is in hard luck. It had a new chum in the person of a half-caste Japanese ex-police spy named Townsend. This newly found friend was going to do all sorts of things for the Advertiser but he has gone back on his promises and again the Advertiser is friendless.

All hands saved, the cargo all saved, and the ship damaged only \$30,000 worth it begins to look as though the passengers of the Alameda would have a claim against the Oceanic Company for giving them a cheap, indifferent quality of shipwreck, instead of a robust, Clark Russell sort of one. Who

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would have the nerve to plume one's self on a shipwreck that did so little damage?

In the current number of the Hawaiian Forester and Agriculturist is an article on "The Modern Dairy Herd," by Percy M. Pond which is both interesting and valuable. It should be read by everyone engaged in dairying for pleasure or profit.

Those people who were so concerned because the President decided to go to New Orleans where the yellow fever was epidemic, would probably have suffered a good deal less anxiety if they had known he was not going there until after the frosts had come.

Sweden and Norway have found peace and amity a great deal better, as well as a great deal cheaper than war and bitterness.

In the September number of the Hawaiian Forester and Agriculturist, John Emmeluth has a communication setting forth a comprehensive scheme of co-operation for pineapple growers by which unnecessary competition can be eliminated, the crop marketed in the cheapest and most effective way, and opportunity be given for the creation of valuable trade mark reputation and good will.

President Roosevelt will think that the pacifying of warring nations is easy when he comes to attempt mediation with the Senate on behalf of reciprocity—Chicago News.

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